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MEMO ENDORSED

By Hand

Hon. Richard M. Berman
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 650
New York, New York 10007-1581

Re: *JH Shipping v. Belarussian Shipping Co. et al*
Docket no.: 07 Civ. 9343 (RMB)
Our Ref: 07-1249

April 21, 2008
Def counsel to respond 2008 by 4/24/08 + to consider Rule 11 issues in your response. Parties are expected to live up to their settlements.
SO ORDERED Date: 4/21/08 Richard M. Berman Richard M. Berman, U.S.D.J.

Dear Judge Berman:

We are attorneys for the Plaintiff in this admiralty action brought pursuant to Supplemental Admiralty Rule B of the Federal Rules of Civil Procedure. On April 10, 2008 we attended a status conference before your Honor and advised that the Court that the parties had reached a settlement but that Defendant had not yet made payment in satisfaction of the settlement. Your Honor issued an Order discontinuing the case subject to the case being restored to the Court's calendar for good cause shown.

We have now been advised that the deadline for the Defendant to satisfy the settlement has passed but that payment has not been received and is not expected. We therefore request that your Honor restore this matter to his calendar so that Plaintiff may take further action to both obtain security for its claims and also, if necessary, proceed with an application for enforcement and recognition of its interim London arbitration award. Plaintiff has to date succeeded in attaching slightly more than \$37,000 of Defendant's property in the district and has obtained an interim London arbitration award in its favor in the sum of \$354,275.83, exclusive of interest, costs and fees.

Should your Honor have any questions or comments we are available to discuss the same at any convenient time to the Court.

Respectfully submitted,

Kevin J. Lennon
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KJL/bhs

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